

**IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

#XXXX

PROPOSED ORDER

**DESIGNATING AND DESCRIBING, ESTABLISHING PREFERRED USE,
AND CURTAILING NEW APPROPRIATIONS IN THE
THREE LAKES VALLEY (NORTHERN PART) HYDROGRAPHIC
BASIN (10-168) WITHIN LINCOLN AND CLARK COUNTIES, NEVADA**

I. DESIGNATING AND DESCRIBING

The State Engineer finds that conditions warrant the designation of the Three Lakes Valley (Northern Part) Hydrographic Basin (10-168) located within Lincoln and Clark Counties, Nevada, and by this Order, pursuant to Nevada Revised Statute (NRS) § 534.030, designates the following described areas of land in need of additional administration.

T.9S., R.57E., Mount Diablo Base and Meridian (M.D.B.&M.)

Those portions of Sections 34, 35, and 36 within the Three Lakes Valley (Northern Part) drainage basin.

T.10S., R.57E., M.D.B.&M.

All of Sections 2, 10, 11, 12, 13, 14, 23, 24, 25, 26, 35, and 36 and those portions of Sections 1, 3, 4, 9, 15, 16, 22, 27, and 34 within the Three Lakes Valley (Northern Part) drainage basin.

T.10S., R.58E., M.D.B.&M.

All of Sections 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, and 34 and those portions of Sections 6, 7, 8, 9, 15, 16, 22, 26, 27, 35, and 36 within the Three Lakes Valley (Northern Part) drainage basin.

T.11S., R.57E., M.D.B.&M.

All of Sections 1, 12, 13, 24, 25, 35, and 36 and those portions of Sections 2, 3, 11, 14, 23, 26, 27, and 34 within the Three Lakes Valley (Northern Part) drainage basin.

T.11S., R.58E., M.D.B.&M.

All of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 and those portions of Sections 1 and 12 within the Three Lakes Valley (Northern Part) drainage basin.

T.11S., R.59E., M.D.B.&M.

All of Sections 29, 30, and 31 and those portions of Sections 7, 18, 19, 20, 21, 28, 32, and 33 within the Three Lakes Valley (Northern Part) drainage basin.

T.12S., R.57E., M.D.B.&M.

All of Sections 1, 12, 13, 14, 23, 24, 25, 26, 35, and 36 and those portions of Sections 2, 3, 10, 11, 15, 22, 27, and 34 within the Three Lakes Valley (Northern Part) drainage basin.

T.12S., R.58E., M.D.B.&M.

All Sections.

T.12S., R.59E., M.D.B.&M.

All of Sections 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 and those portions of Sections 3, 4, 5, 10, 13, 14, 15, 23, 24, 25, and 36 within the Three Lakes Valley (Northern Part) drainage basin.

T.12.5S., R.60E., M.D.B.&M.

That portion of Section 31 within the Three Lakes Valley (Northern Part) drainage basin.

T.13S., R.57E., M.D.B.&M.

All of Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 35, and 36 and those portions of Sections 4, 9, 16, 21, 27, 28, and 34 within the Three Lakes Valley (Northern Part) drainage basin.

T.13S., R.58E., M.D.B.&M.

All Sections.

T.13S., R.59E., M.D.B.&M.

All of Sections 4, 5, 6, 7, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 and those portions of Sections 2, 3, and 11 within the Three Lakes Valley (Northern Part) drainage basin.

T.13S., R.60E., M.D.B.&M.

All of Sections 7, 17, 18, 19, 20, 29, 30, 31, 32, 33, and 34 and those portions of Sections 5, 6, 8, 9, 16, 21, 26, 27, 28, and 35 within the Three Lakes Valley (Northern Part) drainage basin.

T.14S., R.57E., M.D.B.&M.

Those portions of Sections 1, 2, 3, 11, and 12 within the Three Lakes Valley (Northern Part) drainage basin.

T.14S., R.58E., M.D.B.&M.

All of Sections 1, 2, 3, 4, 10, 11, and 12 and those portions of Sections 5, 6, 8, 9, 13, 14, 15, and 16 within the Three Lakes Valley (Northern Part) drainage basin.

T.14S., R.59E., M.D.B.&M.

All of Sections 2, 3, 4, 5, 6, 10, and 11 and those portions of Sections 7, 8, 9, 14, 15, 16, and 18 within the Three Lakes Valley (Northern Part) drainage basin.

T.14S., R.60E., M.D.B.&M.

All of Sections 3, 4, 5, 6, 8, 9, 10, 11, and 13 and those portions of Sections 1, 2, 7, 12, 14, 15, 16, 17, 18, 23, and 24 within the Three Lakes Valley (Northern Part) drainage basin.

T.14S., R.61E., M.D.B.&M.

Those portions of Sections 6, 7, 17, 18, 19, and 20 within the Three Lakes Valley (Northern Part) drainage basin.

The designated Three Lakes Valley (Northern Part) Hydrographic Basin is depicted and defined on Nevada Division of Water Resources, State Engineer's Office maps.

II. PREFERRED USE AND CURTAILING NEW APPROPRIATIONS

Nevada Revised Statute § 534.120 provides that within an area that has been designated by the State Engineer where, in his judgment, the groundwater basin is being depleted, the State Engineer in his administrative capacity is empowered to make such rules, regulations, and orders as are deemed essential for the welfare of the area involved.

The Nevada Division of Water Resources estimates that 3,700 acre-feet of water annually is available as the perennial yield from the Three Lakes Valley (Northern Part) Hydrographic Basin.¹

The committed groundwater appropriations of record in the Office of the State Engineer total 3,700 acre-feet annually.²

The State Engineer finds that the current committed groundwater appropriations exceed the perennial yield.

In accordance with NRS 534.120, the safeguarding of the limited groundwater supply within the Three Lakes Valley (Northern Part) Hydrographic Basin necessitates and demands

¹ State Engineer's Ruling 5465, dated January 4, 2005, official records in the Office of the State Engineer, pg. 47.

² Nevada Division of Water Resources' Water Rights Database, Hydrographic Basin Summary, Three Lakes Valley (Northern Part) Hydrographic Basin (168), accessed February 14, 2020, official records of the Office of the State Engineer, available at <http://water.nv.gov/undergroundactive.aspx>.

that irrigation use be excluded from the preferred uses of groundwater resource and that no new appropriations for irrigation purposes be issued.

The State Engineer finds that conditions warrant the curtailment of new appropriations of groundwater within the Three Lakes Valley (Northern Part) Hydrographic Basin, and by this Order, pursuant to NRS 534.120, orders that with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within the designated Three Lakes Valley (Northern Part) Hydrographic Basin will be denied. Applications filed under the exceptions below must also satisfy the criteria found in NRS Chapters 533 and 534.

Exceptions, those applications filed for:

1. Environmental use pursuant to NRS 533.437 to 533.4377, inclusive;
2. Temporary appropriations of groundwater for establishing fire-resistant vegetative cover file pursuant to NRS 533.436;
3. Temporary stockwater use pursuant to NRS 533.504 that see appropriations of two acre-feet or less of water annually;
4. Diversion rate only, with no corresponding increase in duty of water; or,
5. Non-consumptive purposes.

TIM WILSON, P.E.
State Engineer

Dated at Carson City, Nevada this
_____ day of _____ 2020.